

REMARKS

The office action of March 30, 2006 has been reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

Claims 1-48 are pending in the application. By this amendment, claims 1 and 22 have been amended and new claims 46-48 have been added. The subject matter of the claim amendments and new claims are supported by the application as originally filed.

Claims 1-45 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. patent no. 6,594,692 to Reisman (Reisman) in view of U.S. patent no. 5,587,873 to Nobakht et al. (Nobakht) and further in view of allegedly admitted prior art. Reconsideration and allowance of claims 1-45 are respectfully requested.

Independent claim 1, as amended, recites a media content delivery service point device comprising, among other features,

a media content delivery service point controller, responsive to selection by said input interface of at least one of the selected media files presently stored in said service point device database, to apply the at least one selected media file to said output interface for outputting, and responsive to receipt by said data interface of media files, to compare each of the received media files received from the data interface with the criteria from the integrated circuit card, and the media content delivery service point controller is further adapted to store in said service point device database the received media files received by said data interface which meet criteria on the integrated circuit card held in said integrated circuit card interface; and wherein

the plurality of media files stored by the service point device database are not stored in the integrated circuit card.

Similarly, independent claim 22, as amended, recites a process of updating files comprising, among other features, the step of,

comparing the at least one media file received by the media content delivery service point device with criteria from the integrated circuit card and if the received at least one media file meets the criteria, storing in the service point device database of the media content delivery system the at least one media file received at the media content delivery service point device which meet the criteria encoded on the integrated circuit card; and wherein

the at least one media file stored in the service point device database is not stored in the integrated circuit card.

The office action correctly notes that Reisman fails to teach this claimed subject matter. The office action relies upon Nobakht for these teachings. However, Nobakht clearly fails to overcome these deficiencies of Reisman.

Nobakht teaches a system for receiving only authorized channel information at a set top box 130-A, 131, from a master channel table stored on a remote server 110, which is authorized according to data stored on a smart card 232 at the set top box. Nobakht clearly teaches that only authorized channel data is requested by and received by the set top box. *See e.g.*, col. 8, line 65 to col. 9, lines 10; col. 9, lines 37-51; col. 12, line 50 to col. 13, line 15; and col. 13, lines 55-65. *See also*, Figs. 7 to 8B. In other words, Nobakht fails to teach or suggest the recited subject matter of independent claims 1 and 22 of comparing received one or more media files with criteria from an integrated circuit card and storing the one or more media files that meet criteria on the integrated circuit card. Nobakht teaches requesting only authorized information, rather than checking whether the received information is authorized. For at least this reason, Applicants respectfully submit that independent claims 1 and 22, as well as claims 2-21 and 23-45 depending therefrom, are allowable over the cited prior art. Further, Applicants respectfully submit that new claims 46-48 are allowable for at least similar reasons.

Based on the foregoing, Applicant respectfully submits that the application is in condition for allowance and a Notice to that effect is earnestly solicited. Should the Examiner believe that anything further is desirable in order to place the application in even better form for allowance, the Examiner is respectfully urged to contact Applicant's undersigned representative at the below-listed number.

Respectfully submitted,

BANNER & WITCOFF, LTD.

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By:



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